UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,753	09/20/2005	Peter Nesz	P17299-US1	6062

27045   7590   06/30/2009
ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO, TX 75024

EXAMINER
TAHA, SHAQ

ART UNIT	PAPER NUMBER
2446	

MAIL DATE	DELIVERY MODE
06/30/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Advisory Action **Before the Filing of an Appeal Brief**	10/531,753	NESZ ET AL.
	Examiner	Art Unit
	SHAQ TAHA	2446

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>01 June 2009</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

    a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

    b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

    Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

    (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

    (b)☐ They raise the issue of new matter (see NOTE below);

    (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: <u>13 - 22</u>.

    Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

    See Continuation.

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2446

Continuation of 11: The Applicant Argues:That the cobination of Sitaraman or Alkhatib does not teach creating a list of trusted ones of the DHCP servers, or the storing such a list in the switch node through which a subscriber device accesses the IP network.
In response: The examiner disagrees, Sitaraman et al. teaches The Dynamic Host Configuration Protocol (DHCP) has been developed to provide an automated assignment of IP addresses and to help solve the shortage of IP addresses as shown in Fig. 2, wherein multiple DHCP servers are shown, Ref # 8, and subscribers are the users shown also in Fig. 2, (Sitaraman et al., Col. 3, lines 30-35)

The Applicant Argues:That the cobination of Sitaraman or Alkhatib does not teach analyzinq a DHCP reply messa.qe to ensure that its source. address is from a trusted one of the DHcP sewers maintained in a list by the switch node.
In response: The examiner disagrees, Sitaraman et al. teaches Upon receiving this offer, the client may decide to accept it or wait for additional offers from other DHCP servers on the network. At the end, the client chooses and accepts one offer, and the chosen DHCP server sends an acknowledgment with the offered IP address, wherein when the reply is received it will be analyzed by the client, (Sitaraman et al., Col. 3,lines 39-45).

The Applicant Argues:That the cobination of Sitaraman or Alkhatib does not teach updating a filter dynamically in the switch node, the filter storing an identification of the subscriber device and the assigned subscriber IP address.
In response: The examiner disagrees, Sitaraman et al. teaches the adapter 16 filters users' home PoP IDs on its own PoP ID, so that the local cache 6 at a PoP receives events for the users having a home PoP ID of that PoP, wherein the adapter is a filter that stores the identification the subscriber, (Sitaraman et al., Col. 10, lines 27-31).

The Applicant Argues:That the cobination of Sitaraman or Alkhatib does not teach comparing an IP address to a static IP address.
In response: The examiner disagrees, Sitaraman et al. teaches These "dynamic" IP addresses are compared with static IP addresses that are practically permanently allocated and recorded, typically, in DNS servers, (Sitaraman et al., Col. 4, lines 10-14).

The Applicant Argues:That the cobination of Sitaraman or Alkhatib does not teach discarding by a switch node a frame transmitted by a subscriber device when the source IP address for the frame doesn't correspond to a previously stored IP address assigned to the subscriber device.
In response: The examiner disagrees, Alkhatib et al. teaches discarding said frame when said source IP address differs from the stored subscriber IP address, wherein checking IP address in incoming packets, rejecting those in which the source IP address is different than the destination IP address, (Alkhatib et al., Paragraph 149, page 9), in order to devices to be reachable so that a host outside of the private network can initiate communication with the mobile computing device, (Alkhatib et al., Paragraph 19, page 2).